

REMARKS

Applicants thank the Examiner for the thorough examination of the application. Attached to this paper please find a Terminal Disclaimer and a certified translation of the priority document. The specification has been amended to better set forth the styrene derivative represented by formula (IV) so as to preclude any confusion between group X of formula (I) and group X' of formula (IV). No new matter is believed to be added to the application by this Amendment.

Status Of The Claims

Claims 1-9 are pending in the application. Claim 4 has been withdrawn from consideration by the Examiner. Claim 4 has been amended to better set forth the styrene derivative represented by formula (IV) so as to preclude any confusion between group X of formula (I) and group X' of formula (IV).

Double Patenting Rejection

Claims 1-3 and 5-9 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-11 of Kaneko (Appl. No. 10/797,144; Pub. No. 2004/0220346 A1). Applicants traverse.

A terminal disclaimer of Kaneko is being filed concurrently with this paper. This rejection is thus overcome and withdrawal thereof is respectfully requested.

Rejection Under 35 U.S.C. §103(a) Over Kaneko

Claims 1-3 and 5-9 are rejected under 35 U.S.C. 103(a) as being obvious over Kaneko. Applicants traverse.

Kaneko was filed in the United States on March 11, 2004. In comparison, the present invention was filed on August 29, 2003 and claims priority of JP 2002-254839, filed August 30, 2002. As a result, Kaneko is not prior art. Also, a certified translation of the priority document is attached in order to perfect priority. This rejection is thus overcome and withdrawal thereof is respectfully requested.

Conclusion

The Examiner's rejections have been overcome. No issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert E. Goozner, Ph.D. (Reg. No. 42,593) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No. 10/650,919
Amendment dated November 15, 2005
Reply to Office Action of August 15, 2005


Docket No.: 1188-0115P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: November 15, 2005

R. G.

Respectfully submitted,

By 

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Attachments: Terminal Disclaimer
Translation of priority document